IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

FRIDAY, THE 6TH JULY 2007 / 15TH ASHADHA 1929

WP(C).No. 19600 of 2003(G)

PETITIONER:

C.G. MONI, ASSISTASNT EXECUTIVE ENGINEER (NC) RETD., KERALA STATE ELECTRICITY BOARD, RESIDING AT "MAMPILLY", C.R.A.197, PLAVILA LANE, PONGUMMOODU, MEDICAL COLLEGE P.O., THIRUVANANTHAPRAM-695 011.

BY ADV. SRI.S.RAMESH BABU

RESPONDENTS:

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1. THE CHAIRMAN, KERALA STATE ELECTRICITY BOARD, VYDYUTHI BHAVANAM, PATTOM, THIRUVANANTHAPURAM-695 011.

2. THE SECRETARY, KERALA STATE ELECTRICITY BOARD, VYDYUTHI BHAVANAM, PATTOM, THIRUVANANTHAURAM-695 011.

3. THE CHIEF ENGINEER (HRM), KERALA STATE ELECTRICITY BOARD, VYDYUTHI BHAVANAM, PATTOM, THIRUVANANTHAPURAM-695 O11.

4. THE CHIEF INTERNAL AUDITOR, KERALA STATE ELECTRICITY BOARD, VYDYUTHI BHAVANAM, PATTOM, THIRUVANANTHAPURAM-695 011.

BY ADV. SRI.KODOTH SREEDHARAN, SC, KSEB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/07/2007 , THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETIITONER'S EXHIBITS:

EXT.P1: PAGES 3 TO 7 OF THE PAY REVISION ORDER DATED 23.2.2001 OF THE KERALA STATE ELECTRICITY BOARD.

EXT.P2: COPY OF THE REPRESENTATION DATED 18.3.2002 GIVEN BY THE PETITIONER TO THE SECRETARY, K.S.E.B.

EXT.P3: COPY OF THE REPLY DATED 24.6.2002 RECEIVED FROM THE SECRETARY, K.S.E.B., BY THE PETITIONER.

/TRUE COPY/

THOTTATHIL B.RADHAKRISHNAN, J.

W.P(C).No.19600 OF 2003

Dated this the 6th day of July, 2007

JUDGMENT

The claim of the petitioner is that he is entitled to have his pay stepped up to that of Sri.M.Muraleedharan with effect from 17.11.1998, on the ground that the said Muraleedharan is his junior. He seeks a direction to disburse the arrears up to 31. 5.2002, the date of his retirement. He also seeks revision of his retiral benefits following the aforesaid stepping up of pay.

2. A counter affidavit has been placed on record, whereby, it has been clearly demonstrated that the petitioner is not entitled to be granted 'step up' pay as per the terms of the Long Term Settlement and the Board order governing the same. The said pay given to the beneficiary has to be treated as advance increment in terms of Government clarification. The respondents have demonstrated that Muraleedharan was a beneficiary of advance increment on account of his junior Lohidas being given such benefit.

There is no reply affidavit. Having regard to the contentions of the respondents, I find no grounds to grant any relief as sought for. The writ petition fails. The same is accordingly dismissed. No costs.

Sd/-

THOTTATHIL B.RADHAKRISHNAN
Judge

kkb.

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THOTTATHIL B. RADHAKRISHNAN, J

W.P(C).NO.19600 OF 2003

JUDGMENT

6TH JULY, 2007.

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